

**HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE  
AND  
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY**

**WRIT PETITION NO. 24773 OF 2006**

-

Between:

Zaheeruddin Ali Khan

**..... Petitioner**

AND

The Municipal Corporation of Hyderabad,  
Rep. by its Commissioner & others

**.....Respondents**

**:: O R D E R ::**

Counsel for the petitioner : Ms. Raisa Begum

Counsel for the respondents : Smt. G. Jyothi Kiran

**Dated: 29.11.2006**

**Per G.S.SINGHVI, CJ**

In this petition, the petitioner has prayed for issue of a mandamus to Municipal Corporation of Hyderabad to take action on the representation made by him in the matter of alleged illegal construction being raised by respondent No.4.

At the hearing, Mrs. Jyothi Kiran, learned counsel representing the Municipal Corporation of Hyderabad and its functionaries, on the basis of instructions given to her by Shri Mohd. Khalid Sarwar, Assistant City Planner, Circle V, made a statement that the construction being raised by respondent No.4 has already been stopped and appropriate action will be initiated in accordance with the provisions of the Hyderabad Municipal Corporations Act, 1955.

In view of the statement made by the learned counsel for Municipal Corporation of Hyderabad and its functionaries, the grievance of the petitioner will be deemed to have been remedied and the writ petition is liable to be disposed of as infructuous. Ordered accordingly.

However, liberty is given to the petitioner to file miscellaneous petition for revival of this petition, if adequate and appropriate action is not taken by the concerned authorities of the Municipal Corporation in accordance with law for stopping and removing the alleged illegal construction being made by respondent No.4.

As a sequel to disposal of the writ petition as infructuous,

W.P.M.P.No.31688 of 2006 filed by the petitioner for interim relief  
is also disposed of as infructuous.

**G.S.SINGHVI, CJ**

**C.V. NAGARJUNA REDDY, J**

ksld  
29.11.2006